REMARKS / ARGUMENTS

The action by the Examiner in this application, together with the references cited, has been given careful consideration. Following such consideration, claim 1 has been amended to define more clearly the patentable invention Applicant believes is disclosed herein. Claim 2 has been cancelled. It is respectfully requested that the Examiner reconsider the claims in their present form, together with the following comments, and allow the application.

As the Examiner well knows, the present invention is directed to a sanitizable float valve apparatus. The valve apparatus includes a valve body defining a valve cavity. A fluid inlet and a fluid outlet are formed in the valve body and both are in fluid communication with the valve cavity. The fluid inlet is disposed in the valve body above the valve cavity. The fluid outlet is disposed in a side of the valve body and extends radially from the valve cavity. A closing element is disposed in the valve body to move vertically within the valve cavity. The closing element has a partly convex sealing surface and a rounded lower end opposite the sealing surface. The partly convex sealing surface is dimensioned to sealingly engage the fluid inlet of the valve body. The rounded lower end is dimensioned to engage the surface of a guide cam, i.e., a contact surface, at a point. A float is connected to the guide cam to control the movement thereof. The closing element and valve cavity are dimensioned to create an allowance between the valve cavity and the closing element.

During operation of the present invention, fluid enters the valve body through the fluid inlet. A majority of the fluid flowing through the valve body exits through the fluid outlet in the side of the body when the closing element is in an open position. A small portion of the fluid flowing through the valve body exits downwardly through the allowance between the closing element and the valve cavity and flushes the rounded lower end of the closing element. In this

respect, *only a small portion* of the fluid flowing through the valve apparatus is used to flow over the closing element to remove any impurities thereon. More specifically, impurities that may be between the closing element and the valve cavity and impurities that may be on the rounded lower end of the closing element are removed by the small portion of fluid flowing through the allowance.

In response to the Examiner's rejections, claim 1 has been amended to define more clearly the patentable invention Applicant believes is disclosed herein. In this respect, claim 1 has been amended to define that a sanitizable float valve includes a fluid outlet that is disposed in a side of a body of the valve. A closing element, placed in a valve chamber of the valve, includes a partly convex sealing surface disposed opposite a rounded lower end thereof. The sealing surface is dimensioned to sealingly engage a fluid inlet of the valve. The valve chamber and the closing element are dimensioned such that a part of the fluid exits downwardly through an allowance between the closing element and the valve chamber to flush the rounded lower end of the valve element. In other words, amended claim 1 defines that fluid exits the valve through two paths when the valve is open, i.e., a portion of the fluid exits downwardly through the allowance to flush impurities from the rounded lower end of the closing element *and* the majority of the fluid exits through the fluid outlet form in the side of the valve. It is respectfully submitted that the cited reference does not disclose a structure as described in the claims in their present form.

Claims 1, 2 and 4 stand rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,079,438 to Cavagna. The '438 patent to Cavagna discloses a valve device 1 for controlling the filing level of cylinders and the like with liquefied gases. Valve device 1 includes an upper connecting body 2 and a lower connecting body 10 that define a chamber therebetween.

Upper connecting body 2 includes an outlet that fluidly communicates with a cylinder of liquefied gas and the chamber. Openings 12, for feeding gas into the cylinder, are formed in a lower portion of upper connecting body 2 and fluidly communicate with the chamber. Lower connecting body 10 includes an outlet formed in a lower portion thereof that fluidly communicates with the chamber. As best seen in FIG. 2 of the '438 patent, the outlet in the upper connecting body 2 is above the chamber and the outlet in the lower connecting body 10 is below the chamber. It is respectfully submitted that the '438 patent to Cavagna does not teach, suggest or show a fluid outlet disposed in a *side of a body* of a valve, as defined by claim 1.

Claims 4 and 5 depend from claim 1 and should be allowed for at least the same reasons stated above for claim 1.

Claim 5 stands rejected under 35 U.S.C. Section 103(a) as being unpatentable over the '438 patent to Cavagna in view of U.S. Patent No. 2,793,654 to Bierman.

The '654 patent to Bierman discloses a float valve made of PTFE. Applicant respectfully submits that the '654 patent to Bierman does not disclose the deficiencies noted above regarding the '438 patent to Cavagna.

In view of the foregoing, it is respectfully submitted that independent claim 1 is patentable over the cited references. Furthermore, the remaining claims depend from independent claim 1. Therefore, it is respectfully submitted that these claims are likewise patentable over the cited references for at least the reasons set forth above in connection with independent claim 1.

In view of the foregoing, it is respectfully submitted that the present application is now in proper condition for allowance. If the Examiner believes there are any further matters which

need to be discussed in order to expedite the prosecution of the present application, the Examiner is invited to contact the undersigned.

If there are any fees necessitated by the foregoing communication, please charge such fees to our Deposit Account No. 50-0537, referencing our Docket No. ST9175PCT(US).

Respectfully submitted,

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Mark Kusner
Registration No. 31,115

KUSNER & JAFFE
Highland Place – Suite 310
6151 Wilson Mills Road
Highland Heights, Ohio 44143
(440) 684-1090 (phone)
(440) 684-1095 (fax)

MK/CAJ/lc